

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

DANIEL IVAN PORTER, *et al.*,
Defendant.

No. CR 07 0045 SI

~~PROPOSED~~ STIPULATED ORDER
REVISING PRETRIAL MOTIONS
BRIEFING SCHEDULE

At the last appearance on this matter, the Court adopted a briefing schedule for pretrial motions proposed by the parties. That schedule required the defense to submit their moving papers on Friday, July 20, 2007, the government to submit its Oppositions by August 10, and the defense to file their Replies on August 24. A hearing on the defense motions is scheduled for Friday, September 7, 2007.

Counsel for Mr. Porter and Ms. Weitzel filed motions to suppress on July 20th. In this stipulated order, the parties represent that they are engaged in settlement discussions that may result in a pretrial disposition. The parties further represent that requiring the government to file its Oppositions to the pending motions on August 10 will distract from efforts to resolve the case, and will not facilitate negotiations.

Therefore, the parties jointly request that the date for the government's Oppositions be changed to Friday, August 24, 2007. The parties further request that the defense be permitted to file any

Replies one week later, by Friday, August 31. This would permit the Court one week to consider the papers before the September 7 motion hearing. The parties further represent that any anticipated pretrial resolution of these matters includes the surrender of all defense pretrial motions, which would obviate the need for the motions hearing on September 7th.

Therefore, for good cause shown the briefing schedule for the pending pretrial motions is amended. The government shall file its Oppositions by Friday, August 24, 2007. If the defense chooses to file any replies, they shall do so by Friday, August 31, 2007. The motion hearing shall remain on September 7, 2007 at 11:00 a.m. The parties are directed to immediately inform the Court if they arrive at pretrial dispositions. Time shall continue to be excluded under the Speedy Trial Act until September 7, 2007, in light of the two pending pretrial motions now before the Court.

IT IS SO ORDERED.

08/03/07

DATED

SUSAN ILLSTON
United States District Judge

IT IS SO STIPULATED.

Aug. 2, 2007

DATED

s.
SCOTT SCHOOLS
United States Attorney
Northern District of California
ROBERT REES
Assistant United States Attorney

Aug. 2, 2007

DATED

/s
BARRY J. PORTMAN
Federal Public Defender
Northern District of California
STEVEN G. KALAR
Assistant Federal Public Defender
Counsel for Daniel Ivan Porter

Aug. 2, 2007

DATED

/s
BRIAN GETZ, ESQ.
Counsel for Emily Weitzel

